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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,585	09/28/2001	Toyoji Ikezawa	214607US2	2408

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2161

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/964,585

Applicant(s)

IKEZAWA ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Status

Claims 21-37 are pending. Claims 1-20 have been canceled. Claims 21-37 are rejected as detailed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 21-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub No US 2002/0103731 to Barnard et al (hereafter Barnard).

Claims 21, 32 and 35:

Barnard discloses:

storing in a database [playbook 70, Fig 1, paragraph 34] information relative to each of a plurality of predetermined maturity stages of a sales transaction [P1 Assessment, Table 4] with a specific customer [paragraph 37], said maturity stages corresponding to intermediate goals set for achieving the sales transaction

retrieving maturity items included in said information from said database, said maturity items corresponding to one of said plurality of predetermined maturity stages that should be achieved next according to a predetermined order; [team members 64, Fig 1, paragraph 42]

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displaying said retrieved maturity items on a predetermined displaying unit [playbook summary view 400, Fig 4, paragraph 43]

inputting presence or absence of achievement of said display maturity items via an input device [Fig 4, 438, Fig 5, 474]

updating said database to store information representing that said maturity stage has been achieved, when achievements are input for all maturity items corresponding to said maturity stage [Fig 1, 70, paragraphs 34 and 37]

Claims 22, 33 and 36:

Barnard discloses nine predetermined maturity stages [P1 Assessment, Table 4]

Claims 23, 34 and 37:

Barnard discloses:

- (1) a customer connection making stage [customer service offering assessment P11, Table 4]
- (2) a customer relations making stage [workshop phase P117, Table 4, initiate discussions, paragraph 57]
- (3) a customer research stage [customer business assessment P111, Table 4, complete review of client's processes, paragraph 56],
- (4) a customer attraction stage [pre-sales phase 100, Fig 3, paragraph 54],
- (5) a product research stage [customer business assessment P111, definition of integrated customer solution, paragraph 56]
- (6) an issue resolution stage [workshop phase P117, Table 4, overview of customer solution paragraph 57]
- (7) a formal proposal stage [proposal and contract P13, Table 4]
- (8) a problem resolution stage [cost proposal P131, Table 4, review draft with team members, paragraph 68]
- (9) a contract forming stage [P133 customer contract, Table 4, paragraph 69]

Claim 24:

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Barnard discloses status information relative to each of a plurality of predetermined maturity stages of a sales transaction with a specific customer [status column 438, Fig 4, paragraph 43]

Claim 25:

Barnard discloses at least one of transaction status information and transaction quality information [status column 438, Fig 4, paragraph 43]

Claim 26:

Barnard discloses completion status information [end dates, paragraph 34]

Claim 27:

Barnard discloses scheduled stage completion time [end dates, paragraph 34]

Claim 28:

Barnard discloses stage completion delay information [possibility of project delays, paragraph 77]

Claim 29:

Barnard discloses recommended changes in action relative to completing a particular stage [change requests, paragraph 185]

Claim 30:

Barnard discloses business target information [policy changes, paragraph 114]

Claim 31:

Barnard discloses sales scenario data relative to a particular customer [debriefing initial marketing team 118, Fig 2, paragraph 56]

Response to Arguments

Applicant's arguments filed 5/9/2005 with respect to claims 21-37 have been fully considered but they are not persuasive for the following reasons.

General:

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MPEP 2106 requires that during patent examination the pending claims must be interpreted as broadly as their terms reasonably allow in light of the supporting disclosure. An essential purpose of patent examination is to fashion claims that are precise, clear, correct and unambiguous.

With this objective in mind, examiner notes that the specification of the present application fails to provide a clear and precise definition of the claimed sales activities. In view applicant's failure to clearly define the present invention, examiner resorts to a common dictionary for a suitable definition of sales activities. Sales activities is categorized as the act of selling, i.e., the exchange of property of any kind or of services for an agreed upon sum of money or other valuable consideration. (Webster's New World College Dictionary, Fourth Edition).

Interpreting the disclosure of Barnard in light of the above definition, examiner maintains that all activities disclosed by Barnard concerning the delivery to a customer of a general procurement and accounts payable system are sales activities because the customer is being supplied with services as outlined in Table 4.

Applicant Argues:

Applicant states in the second paragraph on page 12 "Barnard fails to disclose or suggest Applicants' claimed step of "retrieving maturity items included in the information from the database, the maturity items corresponding to one of the plurality of predetermined maturity stages that should be achieved next according to a predetermined order."

Examiner Responds:

Examiner is not persuaded. Figure 4 is a terminal display of a playbook summary view [paragraph 29, Fig 4]

Applicant Argues:

Applicant states in the second paragraph of page 12 "Barnard also fails to disclose or suggest Applicants' claimed steps of d) inputting presence or absence of achievement of the display maturity items

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via an input device³ and e) updating the database to store information representing that the maturity stage has been achieved, when achievements are input for all maturity items corresponding to the maturity stage.”

Examiner Responds:

Examiner is not persuaded. Barnard discloses in Figure 4, item 438 a status column for each major summary task, refer also paragraphs 34 and 43. Furthermore, in Figure 5, Barnard discloses box 474 for percentage completion.

Furthermore, Barnard discloses a playbook database [Fig 1, 70, paragraphs 34 and 37]. Paragraph 37 in particular states that team members access database 70,

Examiner maintains that the project status provisions by Barnard read on the claimed “presence or absence of completion” and the playbook project database reads on the claimed “updating the database to store information representing the maturity stage has been achieved.”

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MOHAMMAD ALI
PRIMARY EXAMINER

Etienne LeRoux

6/10/2005